

COMMONWEALTH OF VIRGINIA  
**WORKFORCE INVESTMENT ACT**  
VIRGINIA EMPLOYMENT COMMISSION

---

---

**FIELD GUIDANCE MEMORANDUM #02-05**

---

---

**TO:** LOCAL WORKFORCE INVESTMENT BOARDS

**FROM:** WIA UNIT

**SUBJECT:** PRIORITY OF SERVICE

**DATE:** MAY 24, 2002

---

The Preamble to the Federal Register presumes that adult funds are generally limited, thus often insufficient to provide adult employment and training activities to all interested participants. Because conditions vary from one local area to another, 20 CFR 663.600 and WIA 134 (d)(4)(E) require that the Local Workforce Investment Board (LWIB) consider the resources available and the populations to whom the services will be provided to determine whether, or not, adult funds are limited in that local area and how services will be rendered in the event of limited funding. Therefore, each LWIB must develop a local policy regarding priority of service for the provision of intensive and training services to adults under title I of the WIA. The purpose of this memo is to provide clarity regarding the development of a local priority of service policy.

Although, this priority of service requirement is only specified for adult WIA funding, each LWIB should develop and implement a policy for prioritizing provision of intensive and training services to both adults and dislocated workers in the event that funds are determined to be limited in that local area. This policy will need to be included in the local WIA plan and reviewed (minimally, on an annual basis) to ensure that the economic dynamics previously fostering the determination are still present. Any change to the declaration must be submitted to the WIA Unit for approval prior to implementation.

Additionally, 20 CFR 663.600 clarifies that the process for determining whether to apply the priority provision does not necessarily mean that only recipients on public assistance and other low income individuals may receive WIA adult-funded intensive and training services when funds are determined to be limited in a local area. The LWIB may establish a process that gives priority for services to recipients on public assistance and other low-income individuals that also serves other individuals meeting eligibility requirements.

The priority of service policy must include, but is not limited to, the following issues:

1. Timing of Policy Application - Is this a constant local policy from day one of WIA implementation, or will the policy trigger upon certain obligation or expenditure levels of WIA adult and dislocated worker funds? Any threshold for triggering this policy

must be clearly delineated. In addition, the process for determining the availability of funds must also be clearly delineated.

2. Any adult priority of service policy must provide priority to recipients of public assistance and other low-income individuals in the local area unless the local area has determined that funds are not limited.
3. Criteria may include the availability of other funds for providing employment and training related services in the local area, the needs of specific groups in the local area, or other appropriate factors.
4. The portion of the policy regarding dislocated worker priority of service should provide sufficient latitude for the LWIB to determine those most in need of intensive and training services.